

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DIRECT REPORT CORPORATION d/b/a
SHAREHOLDER.COM ,

Plaintiff,

v.

CCBN.COM, INC., THE THOMSON
CORPORATION, ROBERT I. ADLER, JOHN
DOES 1 through 5 and JANE DOES 1 through 5,

Defendants.

Civil Action No. 04-10535-PBS

**MOTION TO IMPOUND SHAREHOLDER.COM'S SUR-REPLY TO
DEFENDANT ADLER'S REPLY BRIEF SUPPORTING HIS MOTION FOR A
PROTECTIVE ORDER, OR, ALTERNATIVELY, TO QUASH PLAINTIFF'S
SUBPOENAS TO INSPECT HIS PERSONAL COMPUTERS**

Pursuant to Local Rule 7.2, Plaintiff Shareholder.com moves for the impoundment of its Sur-reply to Defendant Adler's Reply Brief Supporting his Motion for a Protective Order, or, Alternatively, to Quash Plaintiff's Subpoenas to Inspect his Personal Computers, which is being delivered by hand to the Court today. The sur-reply brief contains information the defendants have designated as "Confidential." Under the parties' Stipulated Protective Order (Docket No. 37), Shareholder.com is required to seek impoundment of any documents filed with the Court containing "Confidential" information. *See* Stipulated Protective Order at ¶ 14.

Shareholder.com reluctantly moves for impoundment of its opposition brief because it does not believe that any information included in the brief warrants a "Confidential" designation. However, as Shareholder.com has noted in previous motions

to impound, Mr. Adler and the corporate defendants continue to maintain that information concerning Mr. Adler's conduct is confidential. Since Shareholder.com does not want to incur the burden and expense associated with de-designating the voluminous amount of documents that defendants have improperly designated, Shareholder.com moves for impoundment as required by the Stipulated Protective Order.

SHAREHOLDER.COM
By its attorneys,

/s/ Melissa C. Allison

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July 6, 2005

LOCAL RULE 7.1 CERTIFICATE

Counsel for Shareholder.com certifies that counsel for Mr. Adler and counsel for the corporate defendants would not agree to forego this motion to impound, and therefore, Shareholder.com is required to file this motion under the terms of the Stipulated Protective Order.

/s/ Melissa C. Allison